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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON

MARCH 27, 2002

Mark B. Quatt

Mark B. Quatt Registration No. 30,484

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Caudle Docket No: D-43260-04
Serial No.: 09/846,714 Examiner: Jes F. Pascua
Filing Date: May 1, 2001 GAU: 3727
Title: Contoured Pouch With Pourable Spout, and Apparatus and Process for Producing Same

Response under 37 CFR §1.111

Commissioner For Patents
United States Patent And Trademark Office
Washington, D. C. 20231

Sir:

This response is being filed in response to the Office Action mailed December 27, 2001.

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APR 10 2002
PC 3100 MAIL ROOM

In the Claims:

Please cancel claims 54 and 55.

Remarks

Claims 54 and 55 have been canceled.

Claims 50 to 53 are pending in this application.

In paragraphs 1 and 2 of the Office Action, claims 50 to 55 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 to 19 of U.S. Patent No. 6,244,747 (Caudle).

In response to this, although applicants believe the claims are patentably distinct from, and unobvious over, claims 1 to 19 of Caudle, to remove this issue from the case,